

PROB 12B
(7/93)

United States District Court

for the

Southern District of West Virginia

Request for Modifying the Conditions or Terms of Supervision
with Consent of the Offender

Name of Offender: Donald L. Blankenship Case Number: 5:14CR00244-01

Name of Sentencing Judicial Officer: Irene C. Berger, United States District Judge

Date of Original Sentence: April 6, 2016

Original Offense: 30 U.S.C. § 820(d) & 18 U.S.C. § 371: Conspiracy to willfully violate mandatory mine health and safety standards.

Original Sentence: Twelve months' imprisonment, followed by one year supervised release.

Type of Supervision: Supervised Release Date Supervision To Commence: May 10, 2017

Asst. U.S. Attorney: Steven R. Ruby Defense Attorney: William W. Taylor III

PETITIONING THE COURT

- ☐ To extend the term of supervision for __ years, for a total term of __ years.
☒ To modify the conditions of supervision as follows:

(1) Warrantless Search – You shall submit your person, property, residence, place of business and vehicle under your control to a search, conducted by the United States Probation Officer or any authorized person under the immediate and personal supervision of the probation officer, at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision; failure to submit to a search may be grounds for revocation; the defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.

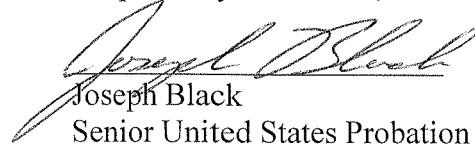
CAUSE

On May 23, 2016, a relocation request was submitted to the District of Nevada. An officer investigated the release plan and found it suitable. It was requested Mr. Blankenship agree to the above referenced modification of the terms and conditions of supervised release. On July 5, 2016, Mr. Blankenship agreed to the modification and signed a waiver of hearing to modify conditions of supervised release as witnessed by his Bureau of Prisons Case Manager. This modification will allow Mr. Blankenship to relocate to the District of Nevada per his request.

Donald L. Blankenship
Docket No. 5:14CR00244-01

Request for Modifying Conditions or Term
of Supervision with Consent of the Offender

Respectfully Submitted,



Joseph Black
Senior United States Probation Officer
August 2, 2016

THE COURT ORDERS:

- ☐ No Action
- ☐ The Issuance of a Summons
- ☐ A Hearing Be Scheduled in This Matter
- ☐ Other
- ☒ The Modification of Conditions as Noted Above



IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA

August 10, 2017

Date

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF WEST VIRGINIA
DONALD L. BLANKENSHIP, DOCKET NO. 5:14CR00244-01

I, **DONALD L. BLANKENSHIP**, have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my conditions of probation or supervised release or before my term of supervision is extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I further understand that I may waive my right to a hearing after conferring with counsel or by making such waiver before a United States Magistrate Judge.

DrB I acknowledge that I have conferred with counsel prior to executing this waiver and I hereby willingly, knowingly, and voluntarily waive my statutory right to a hearing and agree to the following modification(s) of my conditions of probation or supervised release, or to the proposed extension of my term of supervision:

Donald L Blankenship 7-25-16
Probationer or Supervised Releasee Date

I acknowledge that I have conferred with the defendant prior to the defendant executing this document.

Wiliam D Taylor 8/1/16
Counsel Date

(1) Warrantless Search – You shall submit your person, property, residence, place of business and vehicle under your control to a search, conducted by the United States Probation Officer or any authorized person under the immediate and personal supervision of the probation officer, at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision; failure to submit to a search may be grounds for revocation; the defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.

PROB 49
(3/89)

UNITED STATES DISTRICT COURT

Southern District of West Virginia

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. Warrantless Search - You shall submit your person, property, residence, place of business and vehicle under your control to a search, conducted by the United States probation officer or any authorized person under the immediate and personal supervision of the probation officer, at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision; failure to submit to a search may be grounds for revocation; the defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.

Witness for CSW
U.S. Probation Officer

Signed Donald L. Blankenship
Probationer or Supervised Releasee
DONALD L. BLANKENSHIP
12393-088

7/5/16
Date